

**FILED**

JUN 25 2007

UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

Alexis Mager Lakusta,  
*in propria persona*  
1259 El Camino Real #245  
Menlo Park, CA 94025  
(650) 566-9971

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re:

Alexis Mager Lakusta,

Debtor, Appellant

v.

Mark Evans, et al.

Appellees

) Case No.: No. 02-31521

) Chapter 7

) **SUPPLEMENTAL DESIGNATION**  
) **OF THE RECORD FOR APPEAL**  
) **FROM ORDER DENYING DEBTOR'S**  
) **MOTION FOR ABANDONMENT**

**ADDITIONAL ITEMS TO BE INCLUDED IN THE RECORD FOR THIS APPEAL**

111. Grant Deed to 633 Old La Honda Road, dated September 11, 1990 (Henry and Rosemary Hayes to Alexis M. Lakusta) - transfer tax: \$1,061.50
112. Grant Deed to 548 Old La Honda Road, dated December 12, 1996 (Muazam and Deborah Shaikh to Alexis M. Lakusta) - transfer tax: \$407.00
113. Purchase Contract, 548 Old La Honda Road, Woodside, CA between Alexis M. Lakusta and Darleen Barnes, February 4, 2002 - purchase price: \$400,000.00
114. Purchase Contract, 579 Old La Honda Road, Woodside, CA between Alexis M. Lakusta and Darrell Brooks/Suzanne Nourmand, February 5, 2002 - purchase price: \$1,235,000.00
115. PRDS Exclusive Authorization and Right to Sell between Alexis Lakusta and Re/Max Pioneer, August 28, 2002 and Purchase Contract to sell 579 Old La Honda Road to Darrell Brooks and Suzanne Nourmand for \$1,200,000.00
116. Declaration of Scott L. Goodsell in Support of Debtor's Objection to Final Fee Application (Law Offices of David A. Boone), November 4, 2002

SUPPLEMENTAL DESIGNATION OF THE RECORD FOR APPEAL FROM  
ORDER DENYING DEBTOR'S MOTION FOR ABANDONMENT - 1

- 1 117. Stipulation to Dismiss Complaint Without Prejudice, November 26, 2002
- 2 118. Order to Show Cause Why Case Should Not Be Converted to Chapter 7,  
3 December 11, 2002
- 4 119. Response to OSC Re Conversion of Case to Chapter 7, December 16, 2002
- 5 120. Notice of Hearing on Motion to Sell Real Property Free and Clear of Liens  
6 and Interests (548 Old La Honda Road, Woodside, California),  
December 16, 2002
- 7 121. Memorandum of Points and Authorities in Support of Motion to Approve  
8 Sale of Certain Real Property Free and Clear of Liens and Interests (548  
Old La Honda Road, Woodside, California), December 16, 2002
- 9 122. Declaration of Alexis Lakusta in Support of Motion to Approve Sale  
10 of Certain Real Property Free and Clear of Liens and Interests (548 Old La  
Honda Road, Woodside, California), December 16, 2002
- 11 123. Response by Mark Evans to Order to Show Cause Why Case Should Be  
12 Concerted to Chapter 7, December 18, 2007
- 13 124. Declaration of Mark Evans in Response to OSC, December 18, 2002
- 14 125. Preliminary Title Report, 633 Old La Honda Road, Woodside, California,  
January 31, 2003
- 15 126. Grant Deed, 633 Old La Honda Road, dated April 28, 2003 (Mark Evans to  
16 Old La Honda Properties, LLC) - transfer tax: \$0.00  
17 Quitclaim Deed, 633 Old La Honda Road, dated October 20, 2003 (Mark  
Evans to Old La Honda Properties, LLC) - transfer tax: \$0.00
- 18 127. Notice of Filing of Notice of Removal of Action 28 U.S.C. 1334 (B), 1452;  
19 F.R.B.P. 9027, June 30, 2003
- 20 128. Statement in Opposition to Petition for Injunction; Request for Judicial  
Notice, Mark Evans, July 12, 2003
- 21 129. Notice to Vacate, San Mateo County Sheriff's Office - Old La Honda  
22 Properties vs. Alexis M. Lakusta, August 5, 2003
- 23 130. Declaration of Mark Evans in Support of Motion to Sell Asset of Estate Free  
24 and Clear of Liens and Interests Under 11 U.S.C. §363 (633 Old La Honda  
Road, Woodside, CA), Old La Honda Properties, LLC, August 8, 2003
- 25 131. Notice of Motion and Motion for Annulment and Relief from Stay,  
Old La Honda Properties, LLC, August 11, 2003

- 1 132. Order Authorizing Debtor-in-Possession to List Real Property for Sale and  
2 Enter Into Exclusive Listing Agreement (633 Old La Honda Road, Woodside, CA), Old La Honda Properties, September 8, 2003
- 3 133. Filed for Old La Honda Properties, LLC, September 10, 2003:
  - 4 - Notice of Motion and Motion to Sell Asset of Estate (633 Old La Honda  
5 Road, Woodside, CA)
  - 6 - Declaration of Mark Evans in Support of Motion to Sell Asset  
7 of Estate (633 Old La Honda Road, Woodside, CA)
  - 8 - Notice of Motion and Motion for Authorization to Borrow Funds Secured  
9 by Super-Priority Lien Under 11 U.S.C. §364(d)
  - 10 - Declaration of Mark Evans in Support of Motion for Authorization to  
11 Borrow Funds Secured by Super-Priority Lien Under 11 U.S.C. §364(d)
  - 12 - Order Authorizing Sale of Asset of Estate Free and Clear of Liens and  
13 Interests Under U.S.C. §363 (633 Old La Honda Road, Woodside, CA)
  - 14 - Order Authorizing Debtor-in-Possession to List Real Property for Sale  
15 and Enter into Exclusive Listing Agreement (633 Old La Honda Road,  
16 Woodside, CA)
- 17 134. Application for Order Shortening Time for Hearing of Application for Entry  
18 of Supplemental Order to Sell Asset of Estate Free and Clear of Liens and  
19 Interests Under 11 U.S.C. §363 and Related Relief Under 11 U.S.C. §105  
20 (633 Old La Honda Road, Woodside, CA), Old La Honda Properties, LLC  
21 October 8, 2003
- 22 135. Declaration of Wayne A. Silver Re: Application for Order Shortening Time  
23 and for Application for Entry of Supplemental Order to Sell Asset of Estate  
24 Free and Clear of Liens and Interests and Related Relief, Old La Honda  
25 Properties, LLC, October 8, 2003
136. Notice of Application and Application for Supplemental Order Authorizing  
Sale of Asset of Estate Free and Clear of Liens and Interests Under 11  
U.S.C. §363 and Related Relief Under 11 U.S.C. §105 (633 Old La Honda  
Road, Woodside, CA), Old La Honda Properties, LLC, October 8, 2003
137. Supplemental Order Authorizing Sale of Asset of Estate Free and Clear of  
Liens and Interests Under U.S.C. §363 (Old La Honda Road, Woodside, CA),  
Old La Honda Properties, LLC, October 14, 2003
138. Deposition of Alexis Mager Lakusta:  
Volume 1, November 20, 2003 (including list of changes),  
Volume 2, December 8, 2003 (including list of changes),  
Volume 3, December 20, 2003

- 1 139. Debtor's Status Conference Statement, Old La Honda Properties, LLC,  
2 February 6, 2004
- 3 140. Notice of Levy, U.S. Marshall, April 1, 2004
- 4 141. Claims Register: Case no. 02-31521, \$25,000 priority claim filed by David  
5 A. Boone, May, 27, 2004
- 6 142. Substitution of Attorney, Case no. 02-31521 TC, Alexis Mager Lakusta,  
7 In Pro Per, for Steven V. Wickersham, June 20, 2005
- 8 143. Objection to Motion for Abandonment, Wayne A. Silver, May 2, 2006
- 9 144. Objection to Motion for Abandonment by Debtor Lakusta, David A. Boone,  
10 May 4, 2006
- 11 145. Opposition to Motion for Abandonment, David V. Duperrault, Silicon Valley  
12 Law Group, May 5, 2006
- 13 146. Objection to Abandonment of Claims and Request to Declare Alexis Lakusta  
14 a Vexatious Litigant, Catherine Schlomann Robertson (PAHL AND  
15 GOSSELIN), May 5, 2006
- 16 147. Notice of Motion for Amendment of Judgment Under Rule 60(b) and  
17 Memorandum of Points and Authorities in Support of Plaintiff's Motion for  
18 Amendment of Judgment Under Rule 60(b), June 21, 2005
- 19 148. Notice of Motion for Relief from Order Under Rule 60(b), June 24, 2005
- 20 149. Order Denying Motion for Amendment of Judgment Under Rule 60(b) and  
21 Memorandum Re Plaintiff's Motion for Amendment of Judgment Under Rule  
22 60(b), July 19, 2005
- 23 150. Trustee's Final Report and Application for Compensation and Reimbursement  
24 of Expenses by Counsel for Chapter 7 Trustee, March 1, 2006
- 25 151. Notice of Filing of Final Report of Trustee and of Hearing on Application  
for Compensation (And of Hearing of Abandonment of Property by the  
Trustee), April 28, 2006
152. Notice of Motion and Motion for Relief Under Rule 60(b) and Points and  
Authorities in Support of Motion for Relief Under Rule 60(b), with exhibits,  
filed June 8, 2006:
  - Robert E. Patterson Declaration in Motion to Vacate Trial Judgment  
Entered on June 8, 2005
  - letter to Alexis Lakusta from Mickey Elizabeth Greer, trustee of  
Lakusta family trusts and largest creditor Lakusta bankruptcy estate,  
June 19, 2005

- Chicago Title Company ESCROW/ORDER STATUS document,  
548 Old La Honda Road, ORDER NUMBER 02970-000902696,  
STATUS: CANCELLED 10/17/02
- Chicago Title Company SETTLEMENT ENTRY RECEIPT  
ESCROW NUMBER: 02970-000902696-001 COM  
BUYER: EVANS, MARK H.  
TOTAL RECIEPTS: 0.00+
- Chicago Title Company DISBURSEMENT PROCESSING  
BUYER: EVANS, MARK H.  
ESCROW NUMBER: 02970-000902696-001 COM  
ORDER NUMBER: 02970-000902696  
CLOSER NAME: Sharon LaFountain  
APPROVED RECEIPTS: 0.00+  
ISSUED DISBURSE: 0.00+
- Chicago Title Company ESCROW/ORDER STATUS document,  
633 Old La Honda Road, ORDER NUMBER 02970-000902695,  
STATUS: CANCELLED 10/17/02
- Dreams Foreclosed: The Rampant Theft of American Homes Through  
Equity-Stripping Foreclosure Rescue Scams (actual pages: 66)
- Order Authorizing Sale of Assets of Estate Free and Clear of Liens  
and Interests Under 11 U.S.C. §363 (633 Old La Honda Road,  
Woodside, CA), including paragraph 4 regarding "All of claims to the  
Proceeds....", signed by Judge Thomas E. Carlson, September 8, 2003
- excerpts from hearings In Re: Old La Honda Properties,  
September 8, 2003 and October 14, 2003
- "Deed Theft Criminals Get More Aggressive at Stealing Your Home",  
Charles Essmeier, March, 2006
- "Laws Add Risks for Equity Purchasers", Foreclosures Today,  
Warren Racine
- alleged "Settlement Agreement and Release", dated July 16, 2002
- 153. Transcript of hearing on Trustee's Final Report and Application for  
Compensation, June 21, 2006
- 154. Order Closing Case, June 23, 2006
- 155. Dated June 27, 2006 and signed by Ms. Catherine Schlomann Robertson  
(PAHL AND GOSSSELIN):
- Notice of Motion to Declare Lakusta a Vexatious Litigant and Related  
Motion to Enjoin Filing of Future Pleadings

- Memorandum of Points and Authorities in Support of Defendant's Motion to Declare Lakusta a Vexatious Litigant and Related Motion to Enjoin Filing of Future Pleadings
  - Declaration of Catherine Schlomann Robertson in Support of Motion to Declare Lakusta a Vexatious Litigant and Related Motion to Enjoin Filing of Future Pleadings
  - Request for Judicial Notice In Support of Defendant's Motion to Declare Lakusta a Vexatious Litigant and Related Motion to Enjoin Filing of Future Pleadings
156. Supplemental Request for Judicial Notice In Support of Defendant's Motion to Declare Lakusta a Vexatious Litigant and Related Motion to Enjoin Filing of Future Pleadings, dated July 19, 2006 and signed by Ms. Robertson
  157. Proof of Service of the following documents on Catherine Schlomann Robertson, Esq., PAHL AND GOSSELIN, on July 21, 2006:
    - 1.) Notice of Motion and Motion for Relief Under Rule 60(b),
    - 2.) Points and Authorities in Support of Motion for Relief Under Rule 60(b), and
    - 3.) Points and Authorities in Support of Motion for Relief Under Rule 60(b), Amended (copy included)
  158. BENEFITS / DETRIMENTS ANALYSIS, July 16, 2002 Document, from Points and Authorities in Support of Motion for Relief Under Rule 60(b), Amended
  159. Amended Notice to Declare Alexis Lakusta a Vexatious Litigant and Related Motion to Enjoin Future Filings, filed July 21, 2006 and signed by Ms. Robertson
  160. Motion to Declare Alexis Lakusta a Vexatious Litigant and Related Motion to Enjoin Future Filings, filed July 21, 2006 and signed by Ms. Robertson
  161. Certificate of Service of Amended Notice of Hearing of Declare Alexis Lakusta a Vexatious Litigant and related Motion to Enjoin Future Filings and supporting documentation, filed July 21, 2006
  162. Order Denying Motion for Relief Under Rule 60(b), \_\_\_\_\_, 2006, including Memorandum of Judge Thomas E. Carlson
  163. Notice of Intention to File Amended Points and Authorities in Support of Motion for Relief Under Rule 60(b), Amended, with Exhibits, including copy of "Point and Authorities in Support of Motion for Relief Under Rule 60(b), Amended" [see 3.) under item #154, above], August 18, 2006

1 164. Memorandum Re Motion to Declare Alexis Lakusta a Vexatious Litigant,  
2 September 8, 2006

3 165. Designation of Contents for Inclusion in Record; Statement of Issues to Be  
4 Presented on Appeal by Respondent, dated December 7, 2006 and signed  
5 by Ms. Catherine Robertson

6 Dated: June 25, 2007 Signed: Alexis Mager Lakusta  
7 Alexis Mager Lakusta,  
8 *in propria persona*  
9 1259 El Camino Real #245  
10 Menlo Park, California 94025  
11 (650) 566-9971  
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**PROOF OF SERVICE BY MAIL**

**Case Name: In re Alexis Mager Lakusta**

**Case Number: BK Case No. 02-31521**

Gary M. Hess declares:

I am over the age of 18 years, not a party to this action, and I am employed at Shmoover Movers in Menlo Park, California.

On June 25, 2007, I placed for collection and mailing, at Menlo Park, California, a copy of the attached:

**STATEMENT OF ISSUES TO BE ADDRESSED IN APPEAL FROM  
ORDER DENYING DEBTOR'S MOTION FOR ABANDONMENT**

**DESIGNATION OF THE RECORD FOR APPEAL FROM ORDER  
DENYING DEBTOR'S MOTION FOR ABANDONMENT**

**SUPPLEMENTAL DESIGNATION OF THE RECORD FOR APPEAL  
FROM ORDER DENYING DEBTOR'S MOTION FOR ABANDONMENT**

in a sealed envelope, with postage thereon fully prepaid, addressed to:

Aron M. Oliner  
Duane Morris LLP  
1 Market St., Spear Tower, 20<sup>th</sup> Fl.  
San Francisco, CA 94105-1104  
(415) 957-3104  
[former counsel to Charles E. Sims,  
Trustee, deceased]

Office of the U. S. Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104  
(415) 705-3333

Mark H. Evans and  
Old La Honda Properties, LLC  
counsel: Catherine Schlomann Robertson  
Pahl and Gosselin  
225 West Santa Clara Street, Suite 1500  
San Jose, CA 95113-1700  
(408) 286-5100



Chicago Title Company  
counsel: Kathleen J. Moorhead  
100 N. Wiget Lane, Suite 150  
Walnut Creek, CA 94598  
(925) 930-9550

Sharon E. LaFountain  
13651 Saratoga-Sunnyvale Road  
Saratoga, CA 95070  
(408) 867-2000  
counsel: unknown

David A. Boone, Esq.  
counsel: James Robert  
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Ten Almaden Blvd.  
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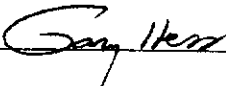
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counsel: unknown

Wayne A. Silver, Esq.  
333 W. El Camino Real  
Sunnyvale, CA 94807  
(408) 720-7007  
counsel: unknown

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, the correspondence would be deposited with the United States Postal Service on the day on which it is collected at the business.

I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.

DATED: June 25, 2007

  
\_\_\_\_\_  
Gary Hess